

Wilton Water Commission
Monthly Meeting, Thursday, May 23, 2013 6:30 PM
Town Hall Courtroom
DRAFT MINUTES APPROVED 6/27/13

Wilton Water Commission held its regular meeting on May 23, 2013 at 6:30 PM in the Town Hall Courtroom. Present were: Commissioners William Condra, Thomas Schultz and Commissioner candidate Frank Edelblut; Clerk Joanna K Eckstrom; Water Superintendent Mike Bergeron; Eric Kuczarski (Dakota Partners), John Kukulka and Thomas Quinn (Seagroves Rd water hook-up) on the agenda; Dr. Chuck Crawford, Richard Sharkey and Charles Wagner (WMSA) and Tom Quinn Sr who wished to be added to the agenda; Seagroves Rd residents Casey Larocque, Deb Jensen, _____ and Ken Cadrain who was video-recording; former Water Commission Charles McGettigan; and water customer Bill Chalmers.

Call to order Mr. Condra called the meeting to order at 6:32 PM.

New commissioner status Mr. Condra apprised audience of vacancy on the commission resulting from Dan Hastings' resignation last month for personal and health reasons. Mr. Hastings had just been elected to a three-year term so the position advertised is for someone to fill the position until the March 2014 election. At that time, the person (or someone else) could be on the ballot for the remaining two years. Mr. Condra said that tonight, the commission would interview the candidates and possibly appoint a new commissioner. After confirming that neither Mr. Schultz nor the Clerk received any applications, Mr. Condra said he'd received one letter of interest from Frank Edelblut. Mr. Condra knows Mr. Edelblut from recent election and thinks his business background would be an asset to the commission.

Mr. Edelblut was introduced. He's been in Wilton about 6 years, lives on Abbot Hill Rd; married (28 yrs) with 7 kids, youngest 8 years old, oldest just graduated from to recent college graduated. He is a CPA; entrepreneur with own company working mostly with small technology businesses. Ran for State Rep but not elected; has volunteer time and wants to contribute to the water commission.

Mr. Schultz concurs that Mr Edelblut would be an asset to the board and welcomes.

Ms. Eckstrom asked whether Mr. Edelblut has any experience in engineering (civil, water, etc.) Yes, he's worked with municipal water and waste water companies so is familiar with some of their needs.

Wilton Water Commission
Monthly Meeting, Thursday, May 23, 2013 6:30 PM
Town Hall Courtroom
DRAFT MINUTES APPROVED 6/27/13

Mr. Condra asked for additional questions or commewnts from the audience. There being none, Mr. Condra moved to appoint Frank Edelblut as the third member of the water commission, to serve until March 2014. Mr. Schultz seconded. Vote unanimous. Mr. Edelblut was welcomed to the table.

Bill Chalmers asked if Mr. Edelblut would be sworn in. Town Office had closed, Ms. Eckstrom offered to do this. It was agreed that Mr. Edelblut go to Town Office as soon as possible for the Town Clerk to deliver the oath. In the meantime, he would participate in commission discussions but not vote.

Elect / appoint chairman This was deferred until June so that Mr. Edelblut can vote. Mr. Condra to be interim chairman; electing chairman is first order of business in June.

Public input / comment Mr. Condra invited input / comment from anyone not already on the agenda.

Wilton Falls Backflow Protection device - Dr. Chuck Crawford cited a letter to the commission from Peter Caswell, a licensed pump installer and retired Chairman of Water Well Board. Mr. Schultz said that the letter had been received on May 16th, but no commissioner had seen it until tonight and haven't read it. Dr. Crawford said letter addresses previous water commission's requirement of to install a backflow protection device on a dry-pipe fire protection sprinkler at Wilton Falls. Dr. Crawford and Mr. Caswell maintain that such a device isn't needed on a dry-pipe system. Wilton Main Street Association which owns the building want commission's approval to remove it. Richard Sharkey, outgoing WMSA president, has done numerous studies and hasn't found a single example of having the device on a dry-pipe system. Dr. Crawford referred to International Plumbing Code regulations (included with the letter) which state that the device is not required on dry-pipe systems. Dr. Crawford says that the unwise ruling by the previous board has cost many thousands of dollars; the 4" Wilkins Model 350 that is there may even compromise fire safety. Dr. Crawford repeated his request that commission authorize its removal. He added that others might make the same request.

Wilton Water Commission
Monthly Meeting, Thursday, May 23, 2013 6:30 PM
Town Hall Courtroom
DRAFT MINUTES APPROVED 6/27/13

Mr. Condra thanked Dr. Crawford for his presentation and said he was on Board of Selectmen a year and half ago when Water Commission first required devices on dry-pipe systems. He spoke against the practice, citing same section of the IPC and understands and respects Dr. Crawford's opinion on this.

Mr. Schultz agreed with Mr. Condra perspective, especially with the documentation included in Mr. Caswell's letter. He does, however, want more info from Fire Chief Ray Dick on this and needs to understand why water commission insisted on requirement. He doesn't want to authorize removing the device tonight and wants to look into this and decide at next meeting. He is reluctant about overstepping bounds and reversing previous board's decision. Mr. Condra agreed that further review is needed. With reference to Dr. Crawford's statement that thousands have been spent on this, Mr. Schultz if this board agrees that a wrong decision was made, does it open us up to an action to recover?

Mr. Edelblut asked if anyone has a sense about economic impact of this – i.e. how many were installed and what will it cost to owner to remove them if it is determined that removal would not impact public safety.

Dr. Crawford is not suggesting mandating devices coming out; if someone wants to leave it in because it will cost money to take it out, let property owner choose. What mandating the installation, besides the cost of the device itself, has already cost Main Street Association thousands of dollars. Dr. Crawford said that Main Street Association is in a difficult financial situation. Mr. Sharkey said twice a year inspections and labor at \$75/hr if it fails adds up. (Device) performs no function.

Mr. Schultz asked if these are the costs to which they're referring. Dr. Crawford said it goes deeper than that ... there has been approximately \$7,000 in legal fees. It is their strong opinion that the previous commission ordered the backflow protector for reasons of their own personal profit, which is certainly inappropriate. At the moment, the mortgagee on the Wilton Falls Building is actually threatening to pull the mortgage because further investment in that building requires that the backflow issue be resolved.

Wilton Water Commission
Monthly Meeting, Thursday, May 23, 2013 6:30 PM
Town Hall Courtroom
DRAFT MINUTES APPROVED 6/27/13

Mr. Schultz said he understands Dr. Crawford's and would like to research the department's records and render a decision at the next meeting. Mr. Sharkey said he'd prefer a decision sooner to satisfy the bank.

Mr. Schultz recognized Charles McGettigan, a former water commissioner. Mr. McGettigan said he was a commissioner when backflows on dry-systems was mandated. He was against the mandate and was voted down 2:1. His interpretation of the code is that wet systems needed the device, not dry-pipe systems. Mr. Condra noted that, per Mr. McGettigan's comment that the vote to mandate was not unanimous. Mr. Chalmers call for a point of order – discussions by any commissioner with the fire chief, etc. can't be done outside of a duly noticed public hearing.

Mr. Schultz noted that he was not suggesting a decision being made tonight. Mr. Condra said that discussion and decision is tabled until the June meeting, or earlier at a special meeting or work session.

Dr. Crawford provided his contact info.

Mr. Schultz asked again if there would be an attempt to recover legal fees or anything else. Dr. Crawford said we're the principal loser here. He referred to Souhegan Wood Products who also had a device mandated and isn't pursuing an action.

Mr. Condra said that when a decision is made, device owners could be offered the option to remove the devices at their own expense and hold the water commission harmless. He believes that the commission would be protected by RSA on this.

There was no additional public input / comments.

Review and Approve Minutes of April 25th meeting defer until later.

Review and approve payables done

Water Superintendent Report - Mike Bergeron defer until later.

Abatements, Customer Billing issues - Jane Farrell - None presented

Wilton Water Commission
Monthly Meeting, Thursday, May 23, 2013 6:30 PM
Town Hall Courtroom
DRAFT MINUTES APPROVED 6/27/13

Pine Valley Mills project update - Eric Kuczarski project engineer Dakota Partners

Mr. Kuczarski said that Dakota Partners is now the official owner of Pine Valley Mill, 37 Wilton Rd Milford. The project intent will convert the mill to 50 apartment units and continue approximately 12 commercial interests.

Mr. Condra asked if they are beyond the site plan stage with Milford Planning Board. Yes, and they have a building permit and could start construction tomorrow. They will have their first on-site meeting next Friday.

Wilton Water Works is involved in the project because Pine Valley Mill is served by the Wilton Water District and they are already a customer. The Water Commission sent an agreement to Dakota Partners, approved by the then commissioners on January 24, 2013 but to date, there has been no response. Kuczarski is delivering the signed agreement to the commission tonight. Ms Eckstrom confirmed that the agreement is the letter from January 24, 2013 that was constructed by the previous Wilton Water Commission, James Tuttle, Dan Hastings and Tom Schultz.

Mr. Schultz said there had been several meetings on the project. Mr. Kuczarski said early in January, Dakota sent an offer that was Dakota's understanding - if cost exceeds \$60,000 the Commission wants Dakota to pay for the costs, which Dakota agreed to do. He said Dakota has an option on the land across the street; if they were to come back later to hook-up, they were looking for a credit of expenditures above the \$60,000. That is how they formulated their January 8, 2013 proposal.

Mr. Schultz said the commission had a difference of opinion about what was agreed to per Dakota's January 8, 2013 letter and made a counter proposal in their January 24th letter which clarified the commission's understanding of the project. When the commission hadn't heard back from them, Mr. Schultz thought that they weren't going to follow through because their engineers agreed that the existing service was appropriate for the commercial units, 50 apartments and fire safety considerations and if anything, they only be obligated for hook-up fees discussed at earlier meetings.

Mike Bergeron, Wilton Water Superintendent confirmed that the existing service is appropriate.

Wilton Water Commission
Monthly Meeting, Thursday, May 23, 2013 6:30 PM
Town Hall Courtroom
DRAFT MINUTES APPROVED 6/27/13

Mr. Condra asked what the previous board sent to Dakota and that the commission should have something back. It was confirmed that the Jan 24th letter, signed by the commissioners and signed and accepted by Marc Daigle for Dakota is that document. Mr. Daigle signed the letter on January 31st.

Mr. Chalmers said that the Water Commission's charter states very clearly that the permission of the Town of Milford is needed before taking further steps. He says according to Mr. Dale White of the Milford Water Commission, there is no agreement or permission. Mr. Chalmers spoke with Mr White several months ago. Mr. Chalmers suggests making sure that such an agreement (with Wilton Water and the Town of Milford) exists before starting the project.

Mr. Condra agreed that it should be confirmed with Milford that everything that needs to be addressed has been taken care of. He said that this is a change of use on the building and this is an enhancement of the water service, he didn't see that additional approval from the Milford is needed as long as Dakota has the go ahead from Milford Planning Board, Building Permit etc. Mr. Kuczarski will confirm that all approvals are in place.

Mr. Schultz asked if the site plan required the additional / extended water line. Mr. Kuczarski said the design includes these upgrades.

Mr. Edelblut asked if this board is okay with terms set by previous board. Mr. Schultz said yes, we'll live with that. Mr. Schultz is concerned about being able to keep up with Dakota's building schedule.

Mr. Edelblut added if Wilton is already serving the building and this is simply an upgrade, why would Wilton need approval. Mr. Chalmers said his comments reflect his and what may be Mr. White's opinion.

Ms. Eckstrom pointed out that the engineering plans cited in the Jan. 24th letter were approved by the Wilton Water Commission and are these same ones submitted to Milford Planning Board at Site Plan Review.

Ms. Eckstrom documented the commission's receipt of the executed letter on this date as Clerk and as Justice of the Peace.

Wilton Water Commission
Monthly Meeting, Thursday, May 23, 2013 6:30 PM
Town Hall Courtroom
DRAFT MINUTES APPROVED 6/27/13

Dakota will take whatever steps it needs to confirm that all project are in place before proceeding.

Mr. Schultz recapped the cost of the project ... Wilton pays for materials; Dakota pays Wilton \$60,000 toward to cost of the project, in lieu of connection fees. If project exceeds \$60,000 Dakota is responsible.

Mr. Condra expressed concern about size of pipe, 12" only being necessary if crossing the river. Mr. Schultz notes the plan that is agreed to contemplates a 12" pipe. Any changes could require new permitting so for now, this stands whether or not a river crossing ever happens.

Mike Bergeron is point of contact; commission may be involved in ordering materials. All should get together.

Seagroves Rd Water hook-up, John Kukulka and Thomas Quinn ...

Mr. Schultz noted that a sewer hook-up for the property was discussed at last week's sewer meeting. Sewer Board thought that sewer hook-up would be on Gregoire Circle side of lot ... site visit was done but there has been no action on sewer yet.

Discussion tonight involves water hook-up only. Mr. Schultz said he had spoken with Mr. Bergeron and Mr. McGettigan and Clerk had research history; what was learned is that there's a 1" line down Seagroves that serves four homes; system is maxed out.

The original line served only one lot; two more were added and then Ken Cadrain became the fourth on the line. For Cadrain to hook up, the other users had to sign an agreement holding the water commission harmless for any degradation to their services. This is a municipal water line that the town has maintained. Mr. Schultz thought that if one municipal line exists that a second line could be installed to serve the lots that Mr Kukulka and Dennis Viens own.

Mr. Cadrain said he was aware of one user, Victor Lushear, had a leak and was told he was responsible for payment to fix it. He was not clear whether the leak was in the main or on Mr. Lushear's lot. There was a suggestion of there being multiple shut-offs but it wasn't confirmed. Each house does have its own meter. Ms. Eckstrom recalls that Mr. Lushear did come to Water Commission with complaint of being charged for the

Wilton Water Commission
Monthly Meeting, Thursday, May 23, 2013 6:30 PM
Town Hall Courtroom
DRAFT MINUTES APPROVED 6/27/13

202 repair when none of his neighbors were ever billed for work on their systems. His bill
203 was adjusted.

204 Mr. McGettigan confirmed that the water line was put in 30 years; although the only
205 resident, Ed Conrad, paid for it, it was a municipal line.

206 Mr. Bergeron confirmed that pressure is fine on the 1" line but volume is a problem.
207 The solution is to put another tap (not recommended) or run a separate 1" line. Ms.
208 Eckstrom repeated that having four users on the line was a problem.

209 All agreed that a second 1" line to immediately serve Mr. Viens Seagroves Rd Lot is in
210 order.

211 Mr. Chalmers asked about whether the water department has authority to put a water
212 line on a private road. Misters Condra and Schultz said that there is already a line there
213 that Wilton Water put in and maintains so it is logical that a second line can be put in.

214 Mr. Schultz added that a building permit has been issued with town water so while it's
215 only his opinion, he doesn't see how the commission can say no.

216 Mr. Condra asked if anyone would be interested in connecting to a new (larger) service
217 line. There was no response.

218 Mr. Kukulka asked about sewer. As a builder and Wilton resident he sees this as an
219 improvement. Mr Cadrain has offered his neighbors to connect to his; no one has so
220 far; he added that the neighborhood is overpopulated.

221 Mr. Schultz noted that Mr. Kukulka made 2 applications for sewer and water on two
222 separate lots and paid \$4000. Mr. Condra said that Selectmen are still waiting for
223 Planning Board recommendation on the second lot. What this board is considering
224 tonight is lot L-006 only.

225 Casey Larocque asks about what notice and consideration for access to get in and out
226 of their property. Mr Kukulka said he would make a detour across his lots for this.

227 Mr. Schultz moved, Mr. Condra seconded to approve the application for a second 1" line
228 on Seagroves Rd to serve Lot L-006, contingent upon builder doing at own expense.

229 Vote 2 Y / Mr. Edelblut abstained. Mr. Bergeron will be contact.

Wilton Water Commission
Monthly Meeting, Thursday, May 23, 2013 6:30 PM
Town Hall Courtroom
DRAFT MINUTES APPROVED 6/27/13

Milford-Wilton Intermunicipal Wastewater Agreement – No one present; commissioners had copy of the proposed agreement; it was reviewed by Silas Little who had 31 comments.

Mr. Edelblut didn't think that Wilton Water should be involved because water and sewer are not one and the same. He was concerned about liability to Wilton and also cited the section that makes Wilton responsible for shutting people off when they don't pay their Milford bills. If this is to happen, Wilton can make its own agreement. Mr. Edelblut cautioned that further review by Sewer commission needs to be done so that they aren't double-charged.

Tom Quinn Sr. Riverwalk ... Mr. Quinn came to the commission to learn next steps to tie-in water (and sewer) at Riverwalk. Mr. Quinn pays for the service lines to each unit; Mr. Bergeron wants to be there when connection is made, he'll replace to curb boxes and meters but there should be no cost to him. To clarify this, Mr. Condra said Quinn put in the infrastructure – water and sewer and road at his expense. He moved that the hook up fees be waived for the 16 units at Riverwalk be waived; second by Mr. Schultz. He suggested that should be acknowledged by Sewer commission as well. Vote was 2Y / 1 abstain. Mr. Quinn and Mr. Bergeron will be in touch with each other to coordinate Water Works part in this.

Backflow Inspections – no update.

Water Superintendent Report – Mr. Bergeron said hydrant project is on schedule; he will do Label Art and WLC in next few weeks when school is out.

Bids to clean and inspect the tank have been received from Underwater Solutions and Utilities Services. Mr. Edelblut if the companies are equally qualified; both have been used before. Mr. Schultz confirmed that a formal RFQ was used. Mr. Schultz moved, Mr. Condra seconded to award the contract to Underwater Solutions. Their proposal is \$3960 and will take 1 day. 2 Y, 1 Abstain.

The job will be scheduled during the summer when tank water is warmer. Note was made to be sure that we have Underwater Solutions' address and contact info.

Wilton Water Commission
Monthly Meeting, Thursday, May 23, 2013 6:30 PM
Town Hall Courtroom
DRAFT MINUTES APPROVED 6/27/13

258 Mr. Bergeron distributed a water quality report that he created. Ms. Eckstrom was asked
259 if she had worked on this previously; no. It will be proofread and addressed so they can
260 be mailed (independently of next bill) in time for the required July deadline.

261 Parts upgrades on the problem meters (that could be read for usage under 10,000
262 gallons) have been made. Dave Harris, Tighe Sales facilitated this.

263 Mr. Schultz moved, Mr. Condra seconded to authorize the Water Superintendent to
264 purchase a PH Meter at \$1890 to replace an old unit. 2 Y / 1 abstain.

265 Stand-by Power / generator ... Unit is mounted; Mr. Bergeron will run wiring; Any Ruoff
266 will do live-wire hook-up at about \$200. Mr. Bergeron said that repairs at Everett Well
267 can be undertaken until the stand-by generator is hooked up.

268 Mr. Bergeron asked to purchase 2 – 10” valves one of which will replace the one
269 borrowed from Jaffrey, the other to have on hand for emergencies. Mr. Schultz moved,
270 Mr Condra seconded to do this with a NTE \$2500. 2Y / 1 abstain.

271 There is an old MnH hydrant that can be used at the old reservoir.

272 There was a question of whether the water superintendent has authority to decide what
273 material gets put back when a line is dug up. Commissioners agreed that he does have
274 that authority. Mr. Condra said the commission should policy that sets this forth.

275 When there is an emergency and Mr. Bergeron is not available, the highway department
276 is the usual point of contact. Ms Eckstrom said the Emergency Contact List is being
277 updated and will be distributed to all parties shortly.

278 **Review of Budget and YTD expenses** ... these were briefly reviewed and were found
279 to be in order. All agreed that YTD expenses should be available for every commission
280 meeting. Mr Schultz will see that this is done; Mr. Edelblut will introduce himself to Pam
281 Atwood and Mary Guild to facilitate this as well.

282 **Other business** – Response to letter from Lois Drummond regarding not charging her
283 for water while she is away (for 3-6 months). Commission agreed that if there is no use,
284 there will be no metered charge but she should be responsible for base rate. After she
285 gets the bill, she can request an abatement. Ms. Eckstrom will reply to Ms. Drummond
286 this way; similar to what was requested of the sewer department.

Wilton Water Commission
Monthly Meeting, Thursday, May 23, 2013 6:30 PM
Town Hall Courtroom
DRAFT MINUTES APPROVED 6/27/13

287 Alternate Energy generator – Mr. Schultz said that John Shepardson is not doing
288 anything on this on a town-wide basis. This will be on the agenda for discussion next
289 month.

290 Mr. Condra remind us that he deferred discussion of rate increases to a future meeting.
291 Board needs to get it back on the agenda when appropriate.

292 Mr. Condra and Mr. Edelblut would like a tour of the system. They will coordinate this
293 with Mr. Bergeron.

294 Mr. Condra believes that board should have regularly scheduled work sessions.

295 Ms. Eckstrom reviewed process for mail distribution and agenda scheduling.

296 Next meeting date: June 27th

297 There being no other business, the meeting was adjourned at 9:30 PM.

298 Respectfully submitted,

299 Joanna K Eckstrom Clerk

300